

# **Arizona State Board of Homeopathic Medical Examiners**

## **Minutes of Teleconference Meeting**

### **May 9, 2006**

#### **I. CALL TO ORDER AND ROLL CALL**

Presiding officer, Dr. Charles Schwengel, called the meeting to order at 9:00 a.m.

#### **ROLL CALL**

##### **Present:**

Charles Schwengel, DO, MD(H)  
Annemarie Welch, MD, MD(H)  
Garry Gordon, MD, DO, MD(H)  
Todd Rowe, MD, MD(H)

##### **Absent:**

Don Farris

Elizabeth Miles, Assistant Attorney General, Christine Springer, Executive Director and members of the public were also present.

#### **II. REVIEW/APPROVAL OF MINUTES**

Discussion to amend the draft of the regular meeting minutes of March 14, 2006. Dr. Schwengel requested a change to a reference to the initials of the complainant listed on page 4, agenda discussion item 06-12. The initials should be indicated as "R.W." rather than "W.N." Following discussion Dr. Gordon made a motion to approve the March 14, 2006 regular meeting minutes as amended. Dr. Rowe seconded the motion that passed unanimously.

Consideration of the executive session minutes was tabled to the next regular meeting.

#### **III. REVIEW, CONSIDERATION, AND ACTION ON APPLICATIONS**

##### ***Previous Applications***

David Parrish M.D. – withdrawal pursuant to ARS §32-2912(F)

Discussion of Dr. Parrish's pending application ensued. Mrs. Springer informed the board that Dr. Parrish did not complete his application within the substantive time frame and the application was considered withdrawn pursuant to the referenced statute. The Board acknowledged the withdrawal of the application under the statute.

Jeffrey Rutgard MD – compliance report

The Board noted receipt of the 150 day report from Dr. Rutgard's practice monitor. Discussion of continuing education and the number of hours completed under the terms of the consent agreement and order. The Board noted that under the terms of the consent agreement the continuing education hours must be pre-approved.

#### **IV. REVIEW, CONSIDERATION AND ACTION REGARDING INVESTIGATIONS/COMPLAINTS**

##### ***Initial Reviews***

##### **06-10 Edward Kondrot MD(H) 2006 Renewal Self Report pursuant to ARS 32-2934(A)**

Following review and discussion Dr. Welch noted no deviation from the homeopathic practice act and made a motion to dismiss and close the investigation of this matter. Dr. Gordon seconded the motion that passed unanimously.

Roll Call 4-0

##### **06-13 William Gene Schroeder MD(H) Board Motion pursuant to ARS §32-2935(A)**

A quorum was not present to discuss this matter that was tabled to a future meeting.

##### ***Ongoing Reviews***

##### **05-21 Charles Crosby, MD(H)**

The Board noted receipt of a compliance report from Dr. Crosby's current psychologist and discussed the pending status of an independent psychologist's report requested by the Board.

##### **06-12 W.N. vs. David Korn, DO, MD(H) Status Update**

The Board requested primary jurisdiction pursuant to ARS §32-2907(A) in a letter sent March 21, 2006 to the Osteopathic Examiners Board. They will review the request at their June 24, 2006 meeting.

##### ***Tabled Matters***

##### **02-16 R.B. vs. Kathleen Fry MD, MD(H)**

A quorum was not present to discuss this matter that was tabled to a future meeting.

#### **V. RULES, LEGISLATION, SUBSTANTIVE POLICY STATEMENTS**

1. Mrs. Springer noted that HB2282 that continues the Board for two years had been signed by the Governor on April 10, 2006. The bill requires that an audit be conducted of the board's activities and performance.

#### **VI. REVIEW, CONSIDERATION, and ACTION ON PROFESSIONAL BUSINESS**

1. Mrs. Springer informed the Board of the resignation of Mrs. Patrick who had served as a public member since June, 2005. She indicated that the Governor's Office had been notified of the resignation.

#### **VII. REVIEW, DISCUSS AND ACTION REGARDING OTHER BUSINESS**

1. Mrs. Springer presented her financial report and indicated the following statistical information relevant to 2006 renewal:

109 license renewals (out of a total of 116 licenses)

59 dispensing permits (out of a total of 62 dispensing permits)

29 homeopathic medical assistant registrations (out of a total of 39 registrations)

As of April 30, 2006, 96.72% of projected revenue had been received. The Board expended 88.24% of its' \$82,100 appropriated funds and has a cash balance of \$38,370.

2. Discussion of a proposed joint Homeopathic Board and Osteopathic Board policy regarding consumer complaint processing. The members agreed that they would want to receive an initial response from the physician before an initial review of the matter was conducted and the jurisdictional question discussed.

3. The Board considered correspondence from Dr. Ed Gogek. A general discussion was held regarding dismissed complaints and the provision of the type of information that would be included in future minutes.

4. Dr. Schwengel did not participate in this discussion. Mrs. Springer informed the Board that she had researched terminology used in her September, 2005 letter to the sunset review committee. After discussion, the Board agreed that she should prepare an apology letter to be sent to the chairman of the committee explaining her error in referring to Dr. Fry's Letter of Reprimand issued by the Arizona Medical Board as a censuring action. A Letter of Reprimand is the first level of discipline used by the Arizona Medical Board and is not considered a censure, which is the second level of discipline.

#### **VIII. FUTURE AGENDA ITEMS**

#### **IX. CALL TO THE PUBLIC**

Lisa Platt posed a question relative to the names of those physicians that did not renew their 2006 licenses that AAG Miles requested be addressed by the executive director following the regular meeting.

Dr. King commented that it would be helpful to future licensees if current homeopathic physicians would serve as clinical sites for learning purposes.

#### **X. ESTABLISHMENT OF FUTURE MEETING DATES**

None

#### **XI. CLOSE OF BUSINESS/ADJOURNMENT**

The meeting adjourned at 10:30 a.m. following a motion by Dr. Rowe. Dr. Welch seconded the motion that passed unanimously. The next Regular Meeting of the Board will convene at the State Board's Offices, 1400 W. Washington, Basement Conference Room B-1, Phoenix, Arizona, 9:00 AM, on **July 11, 2006**.

Respectfully Submitted,

Christine Springer  
Executive Director

Approved at July 11, 2006 Teleconference Meeting